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Identical letters dated 5 February 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 4 February 2001 from Mr. Tariq Aziz, Deputy Prime Minister and Acting Minister for Foreign Affairs of Iraq. It concerns Iraq's cooperation with the International Committee of the Red Cross (ICRC) and the Saudi authorities in conducting a search for the Saudi pilot Muhammad Salih Nazirah, whose aircraft was shot down by Iraq in 1991 in Iraqi territory, and the finding of his remains.

The Minister affirms Iraq's readiness to continue to investigate the fate of missing persons with those members of the Tripartite Commission and its Technical Subcommittee that actually have personnel who are missing and to do so in cooperation with ICRC. He further calls the attention of the international community to the issue of the 1,142 missing Iraqis and to the fact that the Kuwaiti and Saudi authorities have provided no information in their regard and have refused to cooperate and to disclose their whereabouts.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed **Al-Humaimidi**
Chargé d'affaires a.i.

Annex to the identical letters dated 5 February 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

I should like to call your attention to the fact that, in accordance with its legal obligations under the Geneva Convention and the Security Council resolutions relating to the issue of missing persons, on 19 October 2000 Iraq cooperated with the International Committee of the Red Cross (ICRC) and the Saudi authorities in conducting a search for one of the missing Saudis, namely the Saudi pilot Muhammad Salih Nazirah whose aircraft was shot down by Iraq in 1991 in Iraqi territory. The search resulted in the wreckage of the aircraft being found. An examination of the wreckage by a neutral Swiss aircraft expert working with ICRC showed that the pilot had not succeeded in ejecting from the aircraft at the time of the crash, and the joint team also found the pilot's remains. Acting in coordination with the Saudi authorities, ICRC had a DNA analysis of the remains done at a Swiss laboratory, and it was determined that they were those of the Saudi pilot.

We should like to take this opportunity to state that the result achieved by Iraq in cooperation with ICRC and the Saudi authorities in connection with one missing-persons dossier only strengthens the position that Iraq has long maintained, namely that it is possible to make progress in resolving this humanitarian issue when there are good intentions and when politicization of the issue is avoided.

The issue of the Saudi pilot had absorbed the attention of the Tripartite Commission for four years in succession. In 1997 Iraq announced that it had located the wreckage of the aircraft, and it submitted a proposal that a joint action team should be formed by the Commission to go to the crash site and search for the remains of the pilot. However, as a result of the politicization that characterized the Commission and because Saudi Arabia itself opposed the implementation of Iraq's proposal, with the clear backing of the United States and British members, the issue remained unresolved.

I should also like to advise you that the dossier of the Saudi pilot was full of depositions from witnesses who claimed that the pilot had ejected safely or that they had seen him at Iraqi detention centres. Since 1991, the Saudi authorities had been affirming this to be the case and had accused Iraq of detaining him. They had even gone to the extent of indicating that they had in their possession films and photographs of the pilot at Iraqi detention centres. Since 1991 Iraq had been denying the validity of this information, and the pilot's family had fallen victim to a lie that sought to exploit this humanitarian issue for well known political purposes. The dossier of this Saudi pilot is only one example of the dossiers of missing Kuwaitis and Saudis that contain information whose validity Iraq has long denied and that concern persons on whose fate Iraq has no information.

In presenting these facts and these results to you we reaffirm the position we have maintained, based as it is on our readiness to continue to investigate the fate of missing persons with those members of the Tripartite Commission and its Technical Subcommittee that actually have personnel who are missing and to do so in cooperation with ICRC.

We should also like to bring to your attention and that of the international community the issue of the 1,142 Iraqis missing in Kuwaiti and Saudi territory as well as the fact that the Kuwaiti and Saudi authorities have provided no information in their regard and have refused to cooperate and to disclose their whereabouts.

(*Signed*) Tariq **Aziz**
Deputy Prime Minister and Acting Minister for Foreign Affairs